

## CHILTERN DISTRICT COUNCIL

### MINUTES of the Meeting of the CABINET held on 10 FEBRUARY 2015

**PRESENT:** Councillor Mrs I A Darby - Leader  
                  "          M Stannard - Deputy Leader

Councillors: M Stannard  
                  G K Harris  
                  P J Hudson  
                  P E C Martin  
                  F S Wilson

**NO APOLOGIES FOR ABSENCE.**

**ALSO IN ATTENDANCE:** Councillors N Brown and P Jones.

#### 67 MINUTES

The Minutes of the Cabinet meeting held on 16 December 2014, copies of which had been previously circulated, were approved and signed by Councillor Mrs I A Darby, Cabinet Leader, as a correct record.

#### 68 DECLARATIONS OF INTEREST

Cllr N Brown declared a personal interest in Minute No.78 – Non Domestic Rates Discretionary Rate Relief Policy, due his voluntary support of a local Youth Club.

#### 69 28-DAY NOTICE FORWARD PLAN

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward look at the Agenda for the next meeting of the Cabinet. The Notice would be published on 23 February 2015.

#### **RESOLVED –**

**That the Draft 28-Day Notice / Forward Plan, to be published on 23 February 2015, be noted.**

#### 70 CURRENT ISSUES

##### (i) Councillor Hudson – Dial a Ride

Councillor Hudson reported that Chiltern Dial a Ride was now expanding to take on responsibility for Wycombe Dial a Ride from 1 April 2015. The expansion was a success story and the work done by Chiltern Dial a Ride for developing the service was acknowledged.

## (ii) Councillor Harris - Consultation on District Local Plan

Councillor Harris reported that the Council had commenced its initial consultation on the emerging Local Plan for the area. The Consultation period was open until 6 March 2015 and people were encouraged to submit comments and views on the Plan. Relevant officers and elected members were to attend local groups and Parish Councils to deliver presentations and provide information on the Local Plan.

**71 BUDGET 2015/16**

The Cabinet considered a report containing options for the proposed revenue budget for 2015/16 which were based on two options of a potential increase of either 1.9% or 0% in Council Tax. The report also outlined the financial context and base budget position; Investment Income and Grants; budget requirement and Council Tax issues; Medium Term Financial Strategy Update. The report included the advice of the Director of Resources on the robustness of the budget process and the financial risks. The report advised on the importance of the budget being considered on a multi year approach rather than just the coming year only, in order to seek to secure the future financial position of the Council. The Cabinet was asked to recommend the level of Council Tax to Full Council on 25 February 2015.

The Portfolio Holder for Support Services reported that the budget planning process had been lengthy and detailed and had incorporated the views of the Support Services Policy Advisory Group and the Resources Overview Committee which both supported the proposal of a 1.9% increase to Council Tax in 2015/16.

**RESOLVED:**

- (i) That the advice of the Director of Resources be noted;**
- (ii) That the report be made available to all Members of the Council in advance of the Council Tax setting meeting on 25th February, and a final report be produced for the Council meeting incorporating the information from preceptors, and the final decisions of the Cabinet on the budget.**

**RECOMMENDED TO COUNCIL:****Revenue Budget 2015/16**

- (iii) That a 1.9% increase in Council Tax be approved and the Revenue Budget 2015/16 be agreed based on the following table:**

<b>Revenue Budget 2015/16</b>	<b>1.9% increase £'000</b>
<b>Leader</b>	<b>619</b>
<b>Healthy Communities</b>	<b>1,604</b>
<b>Sustainable Development</b>	<b>1,387</b>
<b>Waste &amp; Property Services</b>	<b>1,260</b>
<b>Customer Services</b>	<b>979</b>
<b>Support Services</b>	<b>3,425</b>
<b>Trading Undertakings</b>	<b>-115</b>
<b>Salary Reallocation</b>	<b>-58</b>
<b>Net Cost of Services</b>	<b>9,101</b>
<b>Payment to Parishes</b>	<b>80</b>
<b>Investment Income</b>	<b>-110</b>
<b>Notional Interest on Refuse Vehicles</b>	<b>70</b>
<b>Use of Earmarked Reserves</b>	
- LDD	<b>-306</b>
- District Elections May 2015	<b>-76</b>
- Contribution to fund replacement refuse vehicles	<b>394</b>
- Contribution to fund capital programme	<b>1,306</b>
<b>Budget Requirement</b>	<b>10,460</b>

- (iv) That the above use of earmarked reserves for 2015/16 be agreed;
- (v) That the following additions to earmarked reserves for 2015/16 be agreed:  
Capital – Funding replacement refuse vehicles, £394k  
Capital – Funding of future capital programme, £1,306k.

## 72 CAPITAL PROGRAMME

As part of the Council's budget process, Cabinet were required to review the Capital Programme in order to assess as part of the overall financial strategy of the Authority, what the scale and composition of the programme should be. When considering the Capital Programme in 2014 the Cabinet identified the issue of the financing of the programme in the medium term, i.e. 2016/17 and beyond.

The Director of Resources raised a key point that without additional resources being put into capital during 2015/16 existing reserves would be used up by 2017/18 and new issues may arise that will add demands to programme.

The Portfolio Holder for Support Services advised that the replacement provision for refuse vehicles was separate from this budget. The decision was taken as part of the

revenue budget to provide additional funding for the Capital Programme secured its affordability in the medium term, but it would need to be reviewed during 2015 to identify any new and emerging demands.

**RESOLVED:**

- (i) That the proposed Capital Programme for 2015/16 be agreed; and**
- (ii) That the Capital Programme for 2016/17 and subsequent years be subject of review and update during 2015.**

**73 TREASURY MANAGEMENT STRATEGY 2015/16**

The Council adopted the CIPFA code of practice on Treasury Management in 2002, which included the creation of a Treasury Management Strategy which set out the policies and objectives of the Council's treasury management activities for the year ahead. Attached to the report was the Treasury Management Strategy for 2015/16 (Appendix 1), which had a number of appendices. The appendices cover the policies that will be followed plus the technical determinations the Council was required to undertake in respect of Prudential Indicators and the Minimum Revenue Provision.

**RECOMMENDED TO COUNCIL:**

**That the Treasury Management Strategy for 2015/16 be approved.**

**74 SUSTAINABLE CONSTRUCTION AND RENEWABLE ENERGY SUPPLEMENTARY PLANNING GUIDANCE**

Cabinet considered the Sustainable Construction and Renewable Energy SPD which was to assist those submitting planning applications in understanding the techniques and building practices available to improve the sustainability performance of buildings, both new and existing, through their design and subsequent use and to encourage renewable energy schemes in the District in order for development proposals to meet Core Strategy policy requirements. It therefore supplements Policy CS4 (Ensuring Development is Sustainable) and CS5 (Encouraging Renewable Energy) of the Core Strategy for Chiltern District. It is prepared in accordance with the Council approved Local Development Scheme (LDS).

The draft Sustainable Construction and Renewable Energy Supplementary Planning Document contained a number of references to the Delivery Development Plan Document and specific emerging policies within it, which had now been removed following the withdrawal of the Plan.

Consideration was given to the proposed additional recommendation of the Services Overview Committee that the flow chart and supporting text on Pages 40 – 43 of the main document be amended where it refers to "carbon dioxide" to read "energy" instead so as to accord more closely with the wording of Policy CS5 of the Core Strategy.

**RESOLVED:**

- (i) That the recommended responses to the representations received during the public consultation on the Sustainable Construction and Renewable Energy Supplementary Planning Document (as set out in Appendix 1), be agreed; and
- (ii) That Cabinet delegate authority to the Head of Sustainable Development in consultation with the Cabinet Member for Sustainable Development to make minor additional changes to the SPD if required.

**RECOMMENDED TO COUNCIL:**

- (iii) That the Sustainable Construction and Renewable Energy Supplementary Planning Document, as amended, so that the flow chart and supporting text on Pages 40 – 43 of the main document, as presented to the Services Overview Committee on 3 February 2015, be amended where it refers to “carbon dioxide” to read “energy” to accord more closely with the wording of Policy CS5 of the Core Strategy, be adopted

**75 SERVICE PLAN SUMMARIES**

Consideration was given to the report which referred to a summary of each of the service plans produced by service areas within the Council.

**RESOLVED:**

**That the service plan summaries be noted.**

**76 AFFORDABLE HOUSING DELIVERY UPDATE**

Consideration was given to the report which updated Members on the delivery of additional affordable housing in Chiltern, summarised the latest position regarding the receipt and allocation of Affordable Housing Contributions (i.e. contributions paid via the planning process in lieu of on-site affordable housing), and made recommendations for further expenditure utilising allocations of Affordable Housing Contributions.

Members were also advised of recent discussions with Paradigm and other providers who were involved in discussions and keen to look at working up shared options to provide affordable housing with additional resources.

The Portfolio Holder for Sustainable Development supported the report which drew members’ attention to potential changes to affordable housing contributions in the future. Progress was encouraging but members agreed that there was no room for complacency and the delivery of affordable housing in Chiltern was under constant review.

It was proposed that the Council should make further allocations from its Affordable Housing Contributions receipts to support a further programme of property acquisitions (£500,000) and to provide a fund to support Registered Providers to bring forward new affordable housing schemes. The proposal was based on lessons learnt from the first phase of Affordable Housing Contribution allocations and would support the immediate delivery of additional affordable housing to meet local needs via a purchase scheme and maximise the possibility of additional affordable housing opportunities being brought forward by Registered Providers.

Members were advised that without additional affordable housing, Chiltern District Council were likely to face increasing pressures on housing and homeless services. There is a need to maximise the availability of affordable housing in the district and restrictions on the Affordable Housing Contribution income will make this considerably more difficult to achieve.

Members agreed that there was a need for a strong message to policy makers to encourage affordable housing in areas, such as Chiltern.

#### **RESOLVED:**

- (i) That the content of the report be noted;**
- (ii) That £500,000 be allocated from Affordable Housing Contributions receipts to Paradigm Housing to support a programme of property acquisitions in Chiltern District whereby the acquired properties will be let as affordable housing via the Bucks Home Choice Scheme; and**
- (iii) That, subject to funds becoming available, £500,000 be allocated from Affordable Housing Contribution receipts to be made available to Registered Providers who bring forward schemes to deliver additional affordable housing in Chiltern to the authorisation of any scheme specific allocations being delegated to the Head of Service in consultation with the Portfolio Holder for Healthy Communities.**

#### **77 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES**

At a meeting of the Licensing and Regulation Committee on 15 January 2015, the report attached as Appendix 1 had been considered and following this it was agreed that the required 28 day consultation would take place in relation to the proposed fees in the form of a Public Notice in a local newspaper and on the website as set out in the report.

The Constitution required that Cabinet be consulted as part of the Fee Setting process, and as part of the next annual review the price points of individual fees be appropriately rounded where necessary.

**RESOLVED:**

**That the Licensing and Regulation Committee be advised that the Cabinet supports the proposed fees for Taxi and Private Hire Licensing for 2015/16.**

**78 NON DOMESTIC RATES DISCRETIONARY RATES RELIEF POLICY**

Cabinet was provided with an introduction to the Non Domestic Rates Discretionary Rate Relief current scheme and the future options available to the Council.

It was noted that the Customer Service Policy Advisory Group had discussed the Policy in detail and formulated a protocol for applications for Discretionary Rate Relief to be adopted from 1<sup>st</sup> April 2015. This was set out in Appendix 1, to the report, and was submitted to Cabinet for approval prior to adoption.

Members' attention was drawn to the recommendation of the Policy Advisory Group, if an application for discretionary relief was received where the award on this account was less than £5000 but the organisation was already in receipt of other awards that would mean that £5000 limit would be exceeded overall, a Cabinet decision was required.

Members were advised that to change the award of rate relief a full financial year's notice to recipients was required and this had been undertaken so changes could be made to for the coming year, with effect from 1 April 2015.

**RESOLVED:**

- (i) That the Policy Guidelines and Advice in Appendix 1 be approved;**
- (ii) That discretionary relief application forms be issued with the annual business rate bills in March 2015;**
- (iii) That delegated authority to make awards of discretionary relief be in accordance with the following limits:**
  - a. Up to £2,500 – Head of Customer Services;**
  - b. £2,500 - £5,000 –Head of Customer Services in consultation with the Portfolio Holder**
  - c. Over £5,000 – Cabinet; and**
- (iv) That future awards of discretionary relief should be for a maximum period of 3 years at which point they will be reviewed**

## 79 COUNCIL TAX SUPPORT SCHEME 2015/16

Cabinet considered the content of the report which outlined the Council Tax Support Scheme for 2015/2016 to be recommended to full Council. It was noted that there was no legal requirements to obtain the approval of members if no substantial changes were planned to the current scheme but it was considered good practice. It was noted that the Council Tax Support Policy Advisory Group had been involved in reviewing the scheme.

### RECOMMENDED TO COUNCIL:

- (i) **That the Council Tax Support Scheme for 2015/16 remained unchanged, other than the annual uprating of premiums and allowances as given in the Department for Work & Pensions up-rating circular issued on 17 December 2014, and any changes to the national pension age scheme that need to be reflected in the Council's Scheme; and**
- (ii) **That the discretionary hardship fund of £50,000 for 2015/16 be approved.**

## 80 MINUTES OF JOINT EXECUTIVE COMMITTEES

Members considered the Minutes of the following Joint Executive Committee meetings:-

- Chiltern & Wycombe Joint Waste Collection Committee – 29 January 2015
- Chilterns Crematorium Joint Committee – 18 December 2014

Councillor N Rose entered the meeting during consideration of this item.

## 81 HS2 UPDATE

The Chief Executive presented to Cabinet a report for consideration, which provided members with an update on progress made as a result of on-going negotiations with HS2 Limited, summarised the Select Committee hearing process to date and key announcements made by the Government, gave an update of the financial implications of the work to date going forward and considered further action necessary should the Council wish to continue to pursue the matters outlined in its petition and present evidence to the House of Commons Select Committee.

At a meeting of Cabinet on 22 February 2014, members had received a detailed report which outlined the legal challenge, the petitioning process and the resource implications of issuing a petition against the Hybrid Bill for the HS2 proposed scheme, Phase 1. The Council had set up an HS2 Project Team to deal with the response to the Environmental Statement and engage in the parliamentary process. The Select Committee timetable had slipped and the result of which was that Chiltern's engagement with the Select Committee process would continue into 2015/16 and therefore the core project office, including internally seconded staff would need to be maintained.

The key priority for Chiltern District Council was to pursue the commissioned work with Peter Brett Associates on the green route but in August 2014 a new European Directive had proposed changes to safety rules in long railway tunnels and it became necessary to produce an updated feasibility study report as a consequence of these changes. Peter



Brett Associates were preparing an updated report in light of the changes introduced by the Directive and also in response to consultation with neighbouring authorities and local groups. Members were advised that for the Council's mitigation work to be successful it was important to retain the project team until October 2015.

The financial implications of the work, to date, were reported as follows:-

Year	Direct costs £	Internal costs £	Total £
2010/11	14,976	-	14,976
2011/12	39,791	-	39,791
2012/13	203,809	68,250	272,059
2013/14	101,240	57,240	158,480
Total	359,816	125,490	485,306

It was reported that at a future stage the Council may wish to consider becoming a qualifying authority which would provide more powers and would be the subject of a separate report to a future meeting of Cabinet.

Members were advised that the Select Committee had undertaken a site visit to Colne Valley on 15 January 2015, and also sites in Hillingdon. A second visit of Colne Valley had been requested but it was unlikely before the Elections in May 2015 or indeed at all. Hillingdon Council had written to Chiltern District Council recently to seek support for an additional tunnel which required further examination. The Chief Executive was to respond to Hillingdon in consultation with the Leader and Cllr Rose.

Members agreed that the transfer of reserves was unfortunate but unavoidable.

**RESOLVED:**

- (i) That the work done to date on the petition issued on behalf of the Council and on-going negotiations with HS2 Ltd about the Council's Issues and Asks be noted ;**
- (ii) That the consultation and negotiations with HS2 Ltd to ensure that the proposals remain in alignment with the Council's plans and vision for the area be approved;**
- (iii) That the additional work required from Peter Brett Associates, Ray Payne and Jerry Unsworth in relation to the extended tunnel report and evidence to the Select Committee, together with Southdowns Consultants and other associated costs, be approved;**
- (iv) That the approval by Management Team of an exemption to obtaining competitive tenders in relation to commissioning an updated feasibility study from Peter Brett Associates, in accordance with A6 paragraph 17 of the Council's Contract Procedure Rules on the grounds that no genuine competition could realistically be achieved, be noted;**

(v) That up to £120,240 be transferred from the General Reserve to the HS2 Reserve, for the next stages of the work relating to presentation of the petitions to the Select Committee with the resources identified in the report; and

(vi) That the Chief Executive be authorised to approve expenditure from this reserve after consultation with the Leader and Head of Legal and Democratic Services

## 82 EXCLUSION OF THE PUBLIC

### RESOLVED –

That under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

## 83 CABINET REPORTS FROM POLICY ADVISORY GROUPS:

Cabinet member presented and members considered the notes of the following Policy Advisory Group meeting:-

- Sustainable Development PAG – 28 January 2015

**The meeting ended at 5.52pm**